

810-8-5-.12 Buyers' Identification Cards for Automotive Dismantlers and Parts Recyclers. **(NEW RULE)**

(1) **PURPOSE:** Code of Alabama 1975, Section 40-12-421 restricts sales at salvage pools or salvage disposal sales to persons holding a current automotive dismantler and parts recycler license or their agents or employees. It also provides that each such person must have a separate buyer's identification card to buy at a salvage pool or salvage disposal sale. Further, it provides that such cards are to be valid as long as the holder is a licensed automotive dismantler and parts recycler or an agent or employee of the same licensed automotive dismantler and parts recycler at the time the card is issued. This rule establishes that all cards previously issued by the Department of Revenue will expire as of the end of the current license year for automotive dismantlers and parts recyclers, and that new cards must be issued annually to currently licensed automotive dismantlers and parts recyclers.

(2) **ELIGIBILITY:** The buyer's identification card authorizing a holder to bid on or buy motor vehicles at a salvage pool or salvage disposal sale shall be available to any person, firm, or corporation that possesses a current Alabama automotive dismantler and parts recycler license under Code Section 40-12-411. Cards are also available to salvage dealers licensed in other states under a license equivalent to the Alabama automotive dismantler and parts recycler license.

(3) **EXPIRATION OF PREVIOUSLY ISSUED CARDS:** All buyers' identification cards issued by the Department through September 30, 2006 will expire at midnight on September 30, 2006, unless previously invalidated by the failure of the license holder to maintain its Alabama automotive dismantler and parts recycler license, or equivalent license issued by another state, in good standing. Holders of valid cards on September 30, 2006 may continue to bid on or buy motor vehicles at a salvage pool or salvage disposal sale for the thirty day grace period ending October 30, 2006. All persons wishing to bid on or buy motor vehicles at a salvage pool or salvage disposal sale after October 30, 2006 must have a current buyer's identification card.

(4) **APPLICATION FOR BUYER'S IDENTIFICATION CARD:**

(a) Dismantlers wishing to obtain a buyer's identification card or cards must submit an application to the Department on the prescribed form containing the following information.

1. Name, business address and telephone number of the licensed automotive dismantler and parts recycler.

2. Name, home address and telephone number of an owner or officer of the dismantler.

3. Signature of the owner or officer listed in (2).

4. Name, home address, telephone number and physical description of each buyer. Physical description means date of birth, sex, race, height, weight, hair color, and eye color.

5. Signature of each buyer for whom a buyer's identification card is sought.

(b) The following must be attached to the buyer's identification card application.

1. A copy of the buyer's state issued driver's license containing a valid picture of the buyer.

2. If the Dismantler is licensed in a state other than Alabama, a copy of the current automotive dismantler and parts recycler's license issued by the other state.

3. The processing fee for each buyer for whom a buyer's identification card is sought.

(5) **EQUIVALENT LICENSE TO THE ALABAMA DISMANTLER AND PARTS RECYCLER LICENSE:**

(a) A license issued by another state of the United States of America will be considered equivalent to the Alabama automotive dismantler and parts recycler license if the licensing laws of the other state provide for all of the following.

1. Authorization to engage in the business of purchasing and dismantling, disassembling or repairing, wrecked, abandoned, or repairable motor vehicles, and selling the usable parts thereof; and the business of selling such wrecked, abandoned, or repairable motor vehicles as a unit at wholesale, or selling the hulk of the vehicle after the salvageable parts have been removed.

2. Proof of financial responsibility by the submission of cash or a surety bond of at least \$10,000, to ensure observance of the licensing laws and requirements of the issuing state, and to indemnify any person who suffers any loss by reason of a failure to observe the licensing laws and requirements of the issuing state.

3. A physical location within the state of licensure.

4. Maintenance of records of all purchases and sales of vehicles for a period of five years from the date of purchase or sale, including the name and address of each purchaser or seller. Such records must be made available for inspection by agents of the State of Alabama at the automotive dismantler and parts recycler's business location during reasonable business hours on business days.

(b) A license issued by a political subdivision of a state, or by a municipality will not be considered equivalent to the Alabama automotive dismantler and parts recycler license, nor will a license issued by a foreign country or by a state or province of a foreign country be considered equivalent.

(6) **BUYER'S IDENTIFICATION CARD INFORMATION:**

(a) Buyers' identification cards will be issued by the Department on a form containing the following information.

1. Expiration Date.

2. Name, business address and license number of the licensed

dismantler and parts recycler.

3. Name, home address, driver's license number and physical description (date of birth, sex, race, height, weight, hair color and eye color) of the buyer.

(b) Space will be provided for the signature of the owner or officer of the dismantler, and for the signature of the buyer. Buyers' identification cards will not be valid unless signed by the owner or officer and by the buyer.

(7) **PROCESSING FEE:** The processing fee for a buyer's identification card is specified in Code Section 40-12-421. The fee must be submitted along with the application for each card.

(8) **EXPIRATION DATE:** All buyers' identification cards will be valid from October 1 through September 30 of each year and will expire at the same time that the Alabama automotive dismantler and parts recycler licenses expire. Annually, holders of valid cards on September 30 may continue to bid on or buy motor vehicles at a salvage pool or salvage disposal sale for the thirty day grace period ending each October 30. Persons wishing to bid on or buy motor vehicles at a salvage pool or salvage disposal sale after October 30 must have a current buyer's identification card.

(9) **REVOCATION OF BUYERS' IDENTIFICATION CARDS:**

(a) All buyers' identification cards become invalid if the holder is no longer a licensed automotive dismantler and parts recycler or an agent or employee of the same licensed automotive dismantler and parts recycler at the time the card is issued.

(b) Buyers' identification cards issued to dismantlers licensed in other states may be revoked for failure to comply with the conditions of the Alabama automotive dismantler and parts recycler license, regardless of whether the dismantler's license issued by the other state is revoked, or for failure to permit inspection of records of purchases and sales as required under Section (5) hereof.

(10) **MAXIMUM CARDS:** A person, firm, or corporation who is a license holder under Section 40-12-421 is limited to no more than three (3) buyers' identification cards. Buyers' identification cards are not transferable. If a buyer is no longer an employee or agent of the dismantler, the dismantler must return the card issued to the former employee or agent, to the Alabama Department of Revenue, and may submit a new application for a new employee or agent. The new application must contain all required information and be accompanied by the required attachments and the processing fee.

(11) **REPLACEMENT CARDS:** If a buyer's identification card is lost or damaged, the dismantler may apply for a duplicate card, by completing a new application, furnishing all required information and paying the processing fee for a new card. Damaged cards must be returned to the Department of Revenue.

(12) **REPORTING CHANGES:** Any changes (i.e. business entity, eligible applicant, address, telephone number) should be reported to the Alabama Department of Revenue, Sales, Use and Business Tax Division, License Section, P. O. Box 327550, Montgomery, Alabama 36132-7550. Failure to report such changes could result in the revocation of the buyer's identification card(s).

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Authority: Sections 40-22A-7(a)(5), 40-12-421 & 40-12-422 Code of Alabama
1975
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